IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO: 24175 of 2003

Between:

Ch. Venkat Rao S/o. Ch.R.K.Mohan Rao, Asst. Engineer (H)

(Under Suspension)
O/o. the Deputy Executive Engineer, A.P.State Housing

Corporation Limited Paderu, R/o. Paderu, Visakhapatnam.

... PETITIONER

AND

1 The A.P. State Housing Corporation Limited rep., by its

Managing Director, Urdu Galli, Himayathnagar, Hyderabad.
2 The Govt Of A.P., Rep by Principal Secretary,
Housing Department, Secretariat, Hyderabad.
3 The Director of General, Anti Corruption Bureau, Hyderabad.

(RR2 and 3 are impleaded as per Court order dated 12.12.2003

in WPMP 32302 of 2003)

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondent in continuing him under prolonged suspension for the last fifteen months without concluding the disciplinary proceedings as directed by the Hon'ble High Court in WA.No.1793/02 against WP.No. 15311/02 dated 13.11.2002 as illegal, arbitrary and violative of Articles 14

and 16 of the Constitution and consequently set aside the impugned proceedings No.A2 [1]/4878/2002 dated 6.8.2002 of the respondent with the declaration that he is entitled for reinstatement into service forthwith with all consequential benefits.

Counsel for the Petitioner: MR.K.SATYANARYANA MURTHY

Counsel for the Respondent No.1: MR.V.CH.NAIDU

Counsel for the Respondent No.2: The G.P. for Housing and Municipal Administration

Counsel for the Respondent No.3: Mr. K. Ravi Kiran Rao

The Court made the following:

ORDER:

Heard both sides.

2. Petitioner, who is a former employee of the respondent Corporation, files the present writ petition, *inter alia,* complaining against his continued and long suspension over the last more than one year neither there being any justification nor by taking any steps in furtherance of the disciplinary action. The case of the petitioner is that he was working as a Supervisor and his services have already been regularized; however, on account of the A.C.B surprise-check, he was placed under suspension by an order dated 06-08-2002 and is still being continued, without concluding the disciplinary proceedings.

3. However, such continued and prolonged suspension is not at all warranted in view of G.O.Ms.No.86 dated 08-03-1994. These are all matters, which have to be taken into consideration afresh, by taking into account the long lapse of time and also the directions issued in the aforesaid Governmental instructions. In view of the same, I see no necessity to go into the merits of the allegations as made.

4. The writ petition is accordingly disposed of directing the respondents to consider the case of the petitioner afresh, as to whether he should be continued under suspension or not and also any action to be taken in view of the

principles as laid down in the aforementioned G.O., and such other instructions, in accordance with law. The respondents shall pass appropriate orders within a period of one month from the date of receipt of a copy of this order. No order as to costs.

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B. PRAKASH RAO, J

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February 1, 2005

MRR

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 24459 of 2003

Between:

Y.Indira, d/o Y.Subba Rao
r/o Vuyyuru, Krishna District.

..... PETITIONER

AND

1 The Government of A.P., rep., by the
Education Department, Secretariat, Hyderabad.
2 The Commissioner of School Education, A.P., Hyderabad.
3 The Regional Joint Director of School Education, Kakinada, East Godavari District.
4 The District Education Offricer, Machilipatnam, Krishna District.
5 The Chairman and Convenor and Head Misters for School Education Committee, C.B.M.(aided) Girls,
High School, Vuyyuru, Krishna District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue writ or direction particularly in the nature of writ of mandamus or any other appropriate writ, directing the respondents to regularize the services sof the petitioner in the post of Secondary Grade Assistant with effect from 20-8-1998, with all consequential benefits such as arrears of salary, service and other benefits

Counsel for the Petitioner:MR.V.R.AVULA

Counsel for the Respondent No.: GP FOR EDUCATION

The Court made the following :

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.2CCs to

2.2CD copies

3.2CCs to

Form-NIC-OGS/WP{ }

Copy to:

1 The Managing Director, A.P. State Housing Corporation Limited

Urdu Galli, Himayathnagar, Hyderabad.
2 The Principal Secretary, Housing Department, Govt Of A.P.,

Secretariat, Hyderabad.
3 The Director of General, Anti Corruption Bureau, Hyderabad.

4 Two C.C. s to the G.P. for Housing and Municipal Adminstration,

High Court of A.P., Hyderabad (OUT)

5 Two C.D. Copies.